

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

APPARATUS AND METHOD FOR PRODUCING ICE-CREAMS OR SIMILAR PRODUCTS  
WITH STICK, COVERED WITH CHOCOLATE OR SIMILAR PRODUCTS

the specification of which (check one):

is attached hereto

was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_ and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications

Priority Claimed

MI2001A000739	ITALY	5 April, 2001	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	[X]	[ ]

_____	_____	_____	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	[ ]	[ ]

I hereby claim the benefits under Title 35, United States Code, §119(e) of the following United States Provisional Application:

Priority Claimed

_____	_____	_____	Yes	No
(Number)	(Day/Month/Year Filed)		[ ]	[ ]

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as

defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

This application is a continuation of U.S. Application

Serial No.      Filing Date      Status (Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Angelo Notaro                    Peter C. Michalos  
Req. No. 27,664                Req. No. 28,643

**Mark A. Conklin**      **John Zaccaria**      **Martin A. Levitin**  
**Req. No. 39,148**      **Req. No. 40,241**      **Req. No. 24,479**

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Franco Albino Luigi GRIGOLI

Full name of sole or first inventor

~~X~~ Erich  
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Italian

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Full name of second inventor, if any

Inventor's signature

PAGE

Residence

## Citizenship

**Post Office Address**

Applicant or Patentee: Franco Albino Luigi GRIGOLI  
 Serial or Patent No.: \_\_\_\_\_  
 Filed or Issued: Concurrently Herewith  
 For: APPARATUS AND METHOD FOR PRODUCING ICE-CREAMS  
OR SIMILAR PRODUCTS WITH STICK, COVERED WITH  
CHOCOLATE OR SIMILAR PRODUCTS  
VERIFIED STATEMENT (DECLARATION CLAIMING SMALL ENTITY STATUS)  
(37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf  
 of the concern identified below:

NAME OF SMALL BUSINESS CONCERN SIDAM S.R.L.  
 ADDRESS OF CONCERN Via Fabio Filzi, 37  
20032 Cormano (MI), Italy

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the the invention, entitled (Same as Above)

by inventor(s) (Same as Above)  
 described in \_\_\_\_\_

[X] the specification filed herewith  
 [X] application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 [ ] patent no. \_\_\_\_\_, issued \_\_\_\_\_

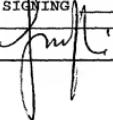
If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING	Guiseppe Napolitano
TITLE OF PERSON OTHER THAN OWNER	Officer
ADDRESS OF PERSON SIGNING	Via Fabio Filzi, 37 20032 Cormano (MI), Italy
SIGNATURE	
	DATE December 6, 2001